

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the forgoing amendments and in view of the reasons that follow:

### **I. Status of Claims**

1. Claims 57-79 are pending in the application.
2. Claim 1 has been amended to put the claim in better condition for appeal and to better define Applicants' invention. Support for the amendment to claim 1 is found in the specification at page 79, lines 2-22 and page 82, line 33 to page 83, line 8.
3. Claim 79 has been amended to correct a claim dependency error.
4. Claims 1-56 have been previously cancelled and Applicants' reserve their right to pursue the subject matter of any cancelled claims in one or more continuing applications.

### **II. Nucleotide and/or Amino Acid Sequence Disclosure**

5. The Examiner has noted that claim 57 fails to comply with the requirements of 37 C.F.R. §§ 1.81(a)(1) and 1.821(a)(2).
6. Applicants' amendment to claim 57 moots this objection. Applicants kindly acknowledge the recommendation made by the Examiner to correct this objection.
7. Applicants request the withdrawal of this claim objection and reconsideration of claim 57.

### **III. Interview Summary**

8. Applicants' acknowledge and appreciate the courtesy of the Examiner in discussing the merits of this application.

While a new Power of Attorney has been prepared for this application it has not yet been received back from any one of the inventors all of whom currently reside outside of the U.S.. The undersigned attorney represents that he has authority to prosecute this application.

**IV. Amendments to the Specification**

9. The specification has been amended to update the paragraph noting the related applications to the present application to which priority is claimed.

**V. Claim Objections**

10. Claim 79 has been objected to on the basis that it depends on claim 88. Applicants respectfully traverse this claim objection.

11. Applicants have amended claim 79 to moot this objection. As amended, claim 78 has been inserted in place of claim 88.

12. Applicants request the withdrawal of this claim objection and reconsideration of claim 79.

**VI. Claim Rejections – 35 U.S.C. § 101**

13. Claims 57-79 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants respectfully traverse this claim rejection.

14. Claim 57 has been amended to state that the claimed peptide (SEQ ID NO:4) is an “isolated or purified” polypeptide. Applicants appreciate the recommendation made by the Examiner. It is believed that this amendment now moots the rejection to the claims.

15. Applicants request the withdrawal of the rejection of claims 57-79 under 35 U.S.C. § 101 and the reconsideration of these claims.

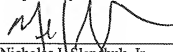
## VII. Conclusion

16. Applicants respectfully submit that all the grounds for rejection of the pending claims have now been overcome and all the claims are in a condition for allowance.

17. An advisory action is requested for the Response After Final Rejection.

18. In the event that the Examiner wishes to discuss any aspect of this response for purposes of advancing the prosecution, please contact the undersigned attorney at the telephone number provided below.

Respectfully submitted,



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